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THE

METROPOLITAN SOCIETY

FOR THE

Prevention of Cruelty to Animals.

CONTENTS:

1. List of Officers for 1872.
2. First Annual Report, and Proceedings of the Annual Meeting, 15th August, 1872.
3. Law of the Dominion respecting Cruelty to Animals.
4. Constitution.

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Patrons:

THE GOVERNOR GENERAL, THE RIGHT HON. THE EARL OF DUFFERIN, P.C., &c., &c.

THE RIGHT HON. SIR JOHN A. MACDONALD, P.C., K.C.B.

Officers of the Society:

1872.

President.

Vice-Presidents.

JOHN ROCHESTER, Jr., M.P.
J. M. CURRIER, M.P.
J. A GRANT, M.P.
HON. JAMES SKEAD.
ALLAN GILMOUR.
EDWARD McGILLIVRAY.

Committee.

BROWN CHAMBERLIN.
AMOS ROWE.
A. DRUMMOND.
JOHN STUART.
ROBERT SURTEES.
ROBERT BLACKBURN.
G. W. EATON.
THOS. McKAY.
GEORGE MAY.
SAMUEL ROGERS.
DR. McLAREN.
GEORGE HAY.
ALEX. MUTCHMOR.
WILLIAM HUTCHISON.
E. J. MALLOCH, M.D.
E. A. MEREDITH.
WILLIAM WHITE.
G. W. STEACY.
JOHN MATHER.
JOHN DURIE.
J. M. GARLAND.
Z. WILSON.
H. J. McLARDY.

Executive Committee.

JOHN STUART. WM. HUTCHISON.
GEORGE MAY. DR. MALLOCH. SAMUEL ROGERS.

Secretary-Treasurer.

H. J. McLARDY.

Honorary Solicitor.

Honorary Veterinary Surgeon.

A. O. F. COLEMAN.

Inspector.

METROPOLITAN SOCIETY

FOR THE

PREVENTION OF CRUELTY TO ANIMALS.

ANNUAL MEETING, 1872.

The first annual meeting of the Metropolitan Society for the Prevention of Cruelty to Animals, took place on the 15th August, 1872, in the Hall of the Ottawa Literary and Historical Society, Ottawa. In the absent of the President, Dr. E. C. Malloch occupied the chair, and amongst those present were Messrs. John Stuart, William Hutchison, Samuel Rogers, Dr. McLaren, H. J. McLardy, &c. The minutes of the previous general meeting, were read and approved. The Secretary-Treasurer, then read as follows the

FIRST ANNUAL REPORT.

The General Committee present their first annual report with mingled regret and thankfulness; thankfulness at the good accomplished, and regret that more and better work has not been done.

Difficulties almost always are met with at the inauguration of a new Society, and the Metropolitan Society for the Prevention of Cruelty to Animals has had its full share of such preliminary trials and discouragements. The people of the capital looked upon the work of the Society with favor; and were ready when canvassed, to contribute funds for carrying it on; but opposition was experienced from quarters the least expected. Either from ignorance or misapprehension of the nature of the law, and the manner of its being placed on the Statute Book, some of the most prominent city officials, who must needs deal with the carrying out of the law, actively or passively thwarted the working of the Society, and prevented its efforts having the influence they otherwise would have had. The law against cruelty to animals was placed on the Statute Book at the instance of the Canadian Society for the Prevention of Cruelty to Animals; and it was intended that it should be enforced by that, and other similar societies, they calling in the assistance of the police, constables, and magistrates, when required. It is essential that this

should be clearly understood, and that the utmost harmony and unity of action should exist between the officers of the society and the ordinary ministers of the law. Unless this is the case, the law, and the objects of the society, cannot be carried out. Your committee have to regret that that hearty co-operation has not existed.

The first concern of the committee was to make known the existence of the society, and its determination to enforce the law; and the next to secure, if possible, a suitable inspector. The first of these objects was realized by the kindness of the press, and the printing, posting, and distribution in the city and surrounding districts, of 200 bills, setting forth the law in French and English, and the resolution of this society to enforce it. To obtain a suitable inspector has been found much more difficult, and has not been accomplished even yet, although several persons have been tried. The first inspector, appointed for two months, Detective E. J. O'Neill, was the best and most efficient officer the Society has yet had. A press of other duties caused him to resign. Three others have been tried for various periods during the year, none of them, however, coming up to the expectations and requirements of the committee. The committee are fully persuaded that to obtain an efficient inspector, and properly carry out the objects of the Society, it will be necessary to engage a competent man to devote his whole time to the work, paying him a sufficient yearly salary of not less than four hundred dollars.

The Committee received 3,000 copies of a sheet Almanac, inculcating humanity to dumb animals, from the Canadian Society of Montreal, and large numbers of these were distributed in Lower Town, the Chaudiere, Hull, and through the country.

Communication was opened by the Secretary-Treasurer with the American Society at New York, the Massachussets Society of Boston, the Pennsylvania Society of Philadelphia, and the Canadian Society of Montreal; and he has to acknowledge receipt of the publications of three of these societies. Mr. Henry Bergh, the distinguished President of the American Society, also presented our Society with a shield or seal, similar to those which he had given to all such societies formed on this continent, for which the committee duly tendered him the thanks of the society.

The society is under obligations to Mr. A. O. F. Coleman for his professional services, as Veterinary Surgeon, given gratuitously.

WORK AND PROSECUTIONS.

The attention of the committee was early directed to the market, and the cruel manner in which calves, sheep and poultry were brought there, and kept until purchased. Inspector O'Neill took steps to remedy the evil, which he found, on warning the farmers and hucksters, arose more from ignorance than intentional cruelty. The result was that the

practice of bringing sheep and poultry to market tied by the legs almost entirely disappeared. They were brought and kept in coops. This was an important point gained; but as the society has now been for some time without an inspector, the old, evil, and cruel practice has revived. It has been frequently pointed out to the police, who, however, have taken no steps to protect those dumb creatures which are incapable of protecting themselves.

Early in September last a petition was presented to the City Council, praying to have the slab and edging carts of the city duly licensed and numbered. This was necessary to secure the conviction of persons driving these vehicles, who are frequently guilty of great cruelty. The horses are generally wretched, apparently ill fed, and often unfit for work. The desire of the society in this regard was defeated by the opposition of an influential city official, who stated that the law could enforce itself and that there was no need of a society. The truth is that the law is a dead letter, as is well known to every intelligent observer, wherever such a society as this does not exist.

Numbers of cases of alleged cruelty were reported to the officers of the Society, generally without proof. Most of these were investigated, and on inquiry it was found impossible to procure evidence to obtain a conviction. In November, a carter named Laliberte was brought up by the inspector before the police magistrate, for using a horse unfit to be driven. The very small fine of one dollar only was imposed, at the instance of the Chief of Police, and in consideration of the offender having a large family. In March last, Inspector Holland's attention was directed to a case of gross cruelty, the hauling a living horse by the neck to the river, to expose him there to die. Ample evidence to convict was readily obtained, and the perpetrator of the crime duly summoned to appear before the Police Magistrate. The inspector, through some mistake, failed to appear in time to prosecute. The case, however, was gone into at the suggestion of the City Clerk, and the guilt of the accused fully established. No fine, however, was imposed for one of the grossest of offences against the law of humanity, the man being dismissed with a reprimand. The committee felt this to be a great discouragement to the working of the Society.

Members of the committee and the Secretary-Treasurer have personally exerted themselves to prevent cruelty. Many persons driving galled horses have been induced by the remonstrances of your officers to relieve their horses of suffering. A farmer from Goulbourn was stopped, and required to have a collar altered to relieve the neck of one of his horses, which was very badly galled. A hack driver also was brought before the Police Magistrate and fined, for cruelly beating his horses.

This is, it must be acknowledged, an unsatisfactory exhibit of work for the past year; and yet there is cause for thankfulness that a beginning

has been made to put a stop to the vast amount of cruelty practised on dumb animals, and that something has been done in this direction, notwithstanding the discouragements thrown in the way of the society from the want of an energetic inspector, and the opposition of those from whom assistance might have been expected. Your committee cannot help expressing regret at the unwillingness of members of the society to appear and give evidence in cases of cruelty coming under their notice. A refusal to do this makes a man *particeps criminis*, and prevents the officers of the society carrying out the law. It is necessary not only to give information that an act of cruelty has been committed but to testify to it if required. Thus only, by the co-operation of all, can cruelty be effectually stamped out.

There are two other points deserving of attention; the first is the selling by farmers and lumbermen of worn out horses to the poorer carters in the city. Some means ought to be taken to prevent this. These horses are only fit to be killed, and suffer great torture at the hands of slab drawers and water carters. The other point is the need of a public abattoir for slaughtering cattle, provided with all the needful appliances. The private slaughter houses cannot have all these appliances; and are both exceedingly offensive and dangerous to health, and often the scenes of great cruelty. The Committee, now to be appointed, might well take these matters up.

FINANCIAL STATEMENT.

RECEIPTS.

Annual Subscriptions	$107 00
Interest	1 50
Loan by Secretary-Treasurer	1 65
	$110 15

EXPENDITURE.

Inspectors allowances	$ 45 00
Printing, postage, books, &c	29 80
Balance in Bank	35 35
	$110 15

H. J. McLARDY,
Secretary-Treasurer.

The report was adopted, and the following gentlemen elected as the General Committee for next year: Eugene Martineau, John Rochester, jr., M. P., J. M. Currier, M. P., J. A. Grant, M. P., Hon. James Skead, Allan Gilmour, Edward McGillivray, Brown Chamberlin, Amos Rowe, A. Drummond, John Stuart, Robert Surtees, Robert Blackburn, G. W. Eaton, Thomas McKay, George May, Samuel Rogers, George Hay, Alex. Mutch-

mer, William Hutchison, E. C. Mallock, M. D., E. A. Meredith, Wm. White, G. W. Stency, John Mather, John Durie, J. M. Garland, Z. Wilson, Dr. McLaren, and H. J. McLardy.

It was moved by Mr. Stuart, seconded by Mr. Hutchison, and adopted that the minutes of the annual meeting, the list of officers, the annual report, financial statement, the Law respecting Cruelty to Animals and the Constitution of the Society, be printed.

After some conversation on the necessity of a vigorous effort being made to raise sufficient funds to secure the services of an efficient inspector, the meeting adjourned.

AN ACT RESPECTING CRUELTY TO ANIMALS,

(32 and 33 Vict., Chap. 27.)

Whereas it is expedient that provision should be made, *extending to all Canada*, for the punishment of cruelty to animals; Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Whosoever wantonly, cruelly or unnecessarily beats, binds, ill treats, abuses or tortures any Horse, Mare, Gelding, Bull, Ox, Cow, Heifer, Steer, Calf, Mule, Ass, Sheep, Lamb, Pig, or other Cattle, or any Poultry, or any Dog, or Domestic Animal or Bird, or whosoever driving any cattle or other animal, is by negligence or ill usage in the driving thereof the means whereby any mischief, damage or injury is done by any such cattle or other animal, shall upon being convicted of any or either of the said offences before any one Justice of the Peace for the District, County or place in which the offence has been committed, for every such offence, forfeit and pay (over and above the amount of the damage or injury, if any, done thereby, which damage or injury shall and may be ascertained and awarded by such Justice,) such a sum of money not exceeding *ten dollars*, nor less than *one dollar* with costs, as to such Justice seems meet.

2. The offender shall in default of payment be committed to the Common Gaol or other place of confinement, for the district, county, or place in which the offence was committed, there to be imprisoned for any time not exceeding thirty days.

3. Nothing in this Act contained shall prevent or abridge any remedy by action against the offender or his employer where the amount of the damage is not sought to be recovered by virtue of this Act.

4. When any offence against this Act is committed, any constable or other peace officer, or the owner of any such cattle, animal or poultry, upon view thereof, or upon the information of any other person (who shall declare his or their name or names and place or places of abode to the said constable or other peace officer) may seize and secure by the authority of this Act, and forthwith, and without any other authority or warrant, may convey any such offender before a Justice of the Peace within whose jurisdiction the offence has been committed, to be dealt with according to law.

5. If any person apprehended for having committed any offence against this Act refuses to discover his name and place of abode to the Justice of the Peace before whom he is brought, such person shall be immediately delivered over to a constable or other peace officer, and shall by him be conveyed to the Common Gaol or place of confinement for the district, county or place within which the offence has been committed, or in which the offender has been apprehended, there to remain for any term not exceeding one month, or until he makes known his name and place of abode to the said Justice.

6. The prosecution of every offence punishable under this Act must be commenced within three months next after the commission of the offence, and not otherwise.

7. Every offence against any of the sections of this Act is a misdemeanor, and may be punished as such, or may be prosecuted in the manner directed by the *Act respecting the duties of Justices of the Peace, out of Sessions, in relation to summary convictions and orders*, so far as no provision is hereby made for any matter or thing which may be required to be done with respect to such prosecution; and all the provisions contained in the said Act shall be applicable to such prosecutions, in the same manner as if they were incorporated in this Act.

8. All pecuniary penalties recovered before any Justice of the Peace under this Act, shall be divided, paid and distributed in the following manner, that is to say: one moiety thereof to the Corporation of the city, town, village, township, parish or place in which the offence was committed, and the other moiety, with full costs, to the person who informed and prosecuted for the same, or to such other person as to such Justice seems proper.

9. Every sum of money ascertained, and awarded or adjudged, by any Justice of the Peace under this Act, to be paid as the amount of any damage or injury occasioned by the commission of any of the offences herein before mentioned, shall be paid to the person who has sustained such damage or injury.

10. Where the word "cattle" is used in this Act it shall have the meaning assigned to it in the Act respecting larceny and other similar offences.

11. This Act shall commence and take effect upon, from and after the first day of January, one thousand eight hundred and seventy.

In the 3rd Session, 1st Parliament, 33 Victoria, 1870, the following clause was added to this law: "And any person who in any manner, encourages, aids or assists at the fighting or baiting of any bull, bear, badger, dog, cock, or other kind of animal, whether of domestic or wild nature, shall, upon being convicted before any one Justice of the Peace, for the District, County or place in which the offence was committed, for every such offence forfeit and pay such a sum of money not exceeding forty dollars, nor less than two dollars, with costs, as to such Justice seems meet!!

CONSTITUTION.

1. The title of this Society is "THE METROPOLITAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS."

2. Its object shall be to provide effective means for preventing Cruelty to Animals in Ottawa City, and the surrounding Counties.

3. Any person may become a Member of this Society by paying the sum of not less than two dollars as an annual subscription. The name of any member neglecting for one year to pay his subscription, or at any time wholly refusing to pay it, may be erased by the Committee from the list of members. The Committee may, from time to time, elect patrons and honorary members.

4. The Committee, consisting of thirty members, who shall manage all the affairs of the Society, shall be elected at the Annual General Meeting of the Society, on the third Thursday in August. They shall appoint from among themselves a President, six Vice-Presidents, and Secretary-Treasurer, who shall be *ex-officio* Members of the Committee, and may also, from time to time, appoint such other Officers, and make such Rules or By-laws as they may think fit, provided that these rules be not inconsistent with this constitution. They may also fill any vacancies that may occur in any offices of the Society, between one annual meeting and another.

5. The Annual Meeting of the Society shall be held on the third Thursday in August, when the outgoing Committee shall present a general report of the proceedings of the Society, and an abstract of the state of accounts and general concerns of the Society up to the 1st day of August previous, and the Committee for the ensuing year shall then be elected by ballot or nomination, as may be decided on at the meeting.

6. A Special Meeting of the Society may be held at the call of the Committee, and shall be held upon the written request of five members of the Society, a week's notice of the meeting being given by the Secretary-Treasurer.

7. At all meetings of the Society, seven Members present, (who have paid their subscriptions,) shall constitute a quorum. Five members shall constitute a quorum at meetings of the Committee.

8. Any Article of this Constitution may be altered, amended, or suspended for any length of time by consent of two-thirds of the mem-

bers present at a meeting specially convened for that purpose, provided that such alteration, amendment, or suspension shall have been specified in the notice summoning the meeting. A week's notice shall be given of a meeting for such purposes.

9. This Constitution shall be printed, and a copy thereof, with a list of the Committee, shall be delivered to every member, but no one shall be absolved from the effect of these Rules on any allegation of not having received them.